



**CITY OF RAHWAY
NEW JERSEY
MUNICIPAL COUNCIL
AGENDA: REGULAR MEETING
September 8, 2020 ~ 7:00 P.M.**

*"Each person addressing the Council shall first give their name and address to the Clerk.
All remarks shall be addressed to the Council as a body and not to any member thereof and, shall not exceed five (5) minutes in duration."
(Chapter 5-63 (C) Rules of Order No. 3)*

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE and INVOCATION**

2a. **OPEN PUBLIC MEETING STATEMENT:**

This Meeting was called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was sent to the Union County Local Source, Home News Tribune, and the Star Ledger. In addition, copies of notice were posted on the bulletin board in the Municipal Building and filed in the Office of the City Clerk. Notices on the bulletin board have remained continuously posted. Proper notice having been given the City Clerk is directed to include this statement in the minutes of this meeting.

3. **PRESENTATIONS**

Hispanic Heritage Month

4. **MINUTES**

May 11, 2020	Regular Meeting	August 4, 2020	Special Meeting
June 22, 2020	Combined Meeting	August 10, 2020	Combined Meeting
July 20, 2020	Combined Meeting		

5. **COMMUNICATIONS: MAYOR, REPORTS OF CITY OFFICERS AND BILL PAYMENT LIST**

6. **REPORTS OF COUNCIL COMMITTEES**

7. **HEARINGS OF CITIZENS: ITEMS ON AGENDA**

Except Ordinances on Second Reading. (Five Minutes per Speaker)

8. **CONSENT AGENDA**

All items considered routine by the City Council will be enacted by one motion. There will be no separate discussion on these items unless a Council Member or Citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda.

9. **ORDINANCES - FIRST READING**

10. **RESOLUTIONS**

Department of Administration

*	AR-167-20	RESOLUTION SUPPORTING POTENTIAL REMEDIATION OF 1646-8 & 1654 IRVING ST Motion: Miles Second: Brown
*	AR-168-20	RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO HEYER, GRUEL & ASSOCIATES FOR MUNICIPAL PLANNING SERVICES FOR CITY OF RAHWAY Motion: Gibilisco Second: Cox
	AR-169-20	RESOLUTION AUTHORIZING AN AGREEMENT FOR CHILD CARE SERVICES Motion: Second:

Department of Community Development

*	AR-170-20	RESOLUTION TO AUTHORIZE THE GREEN ACRES AMENDMENT AGREEMENT FOR MADDEN FIELD IMPROVEMENTS (PHASE 2) Motion: Newbury Second: Brown
*	AR-171-20	RESOLUTION AWARDDING THE EXTENSION OF A CONTRACT FOR AN AUTHORIZED PRIVATE ON-SITE INSPECTION AGENCY TO SERVE AS ELEVATOR SAFETY SUBCODE OFFICIAL IN ACCORDANCE WITH RESOLUTION AR-213-17, N.J.A.C. 5:23-4.13 AND N.J.A.C. 5 :23-12.1 ET SEQ. FOR A PERIOD OF TWO (2) YEARS Motion: Farrar Second: Miles

Police Department

*	AR-172-20	RESOLUTION AUTHORIZING THE PURCHASE OF WATCH GUARD BODY WORN AND IN-CAR VIDEO CAMERAS INCLUDING THE INSTALLATION OF THE IN-CAR VIDEO SYSTEM IN THE VEHICLES AND THE INSTALLATION OF CAMERA VIDEO STORAGE HARDWARE/SOFTWARE FOR THE POLICE DEPARTMENT VIA STATE CONTRACT Motion: Mojica Second: City Council
*	AR-173-20	RESOLUTION AUTHORIZING THE SALE OF ABANDONED MOTOR VEHICLES BY THE POLICE DEPARTMENT IN ACCORDANCE WITH N.J.S.A. 39:10A-1 Motion: Parson Second: Newbury

Department of Recreation and Senior Services

*	AR-174-20	RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO APPLY FOR THE UNION COUNTY KIDS RECREATION TRUST FUND GRANT AND ENTER INTO A CONTRACT THERETO Motion: Mojica Second: City Council
*	AR-175-20	RESOLUTION AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE RAHWAY MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR OCTOBER 1, 2020 – JUNE 30, 2021 Motion: Gibilisco Second: Brown

Department of Revenue and Finance

*	AR-176-20	RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES CY 2020 Motion: Parson Second: Cox
*	AR-177-20	RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATE FOR A 2017 TAX LIEN Motion: Mojica Second: City Council
*	AR-178-20	RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF DISABLED VETERAN EXEMPTION Motion: Mojica Second: City Council
*	AR-179-20	RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE CITY OF RAHWAY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) NEW JERSEY ASSOCIATION OF COUNTY AND CITY OFFICIALS (NJACCHO) FOR COVID-19 RELATED RESPONSE ACTIVITIES - \$30,560.00 Motion: Miles Second: Parson

Office of the City Clerk

*	AR-180-20	RESOLUTION APPOINTING ALTERNATE MEMBERS OF THE RAHWAY SOCIAL JUSTICE COMMISSION Motion: Second:
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11. **ORDINANCES – FINAL ADOPTION/SECOND READING**

<p>O-24-20</p>	<p>BOND ORDINANCE PROVIDING FOR THE VARIOUS CAPITAL IMPROVEMENTS AND EQUIPMENT FOR THE SEWER UTILITY OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$350,000 BONDS OR NOTES OF THE SEWER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF Motion: Baker Second: Miles</p>
<p>O-25-20</p>	<p>BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$1,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,876,250 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF Motion: Parson Second: Newbury</p>
<p>O-26-20</p>	<p>BOND ORDINANCE PROVIDING FOR THE PURCHASE AND ACQUISITION OF ELECTRIC VEHICLES FOR THE PARKING UTILITY OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$80,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$80,000 BONDS OR NOTES OF THE PARKING UTILITY OF THE CITY TO FINANCE THE COST THEREOF Motion: Mojica Second: City Council</p>
<p>O-27-20</p>	<p>BOND ORDINANCE PROVIDING FOR VARIOUS 2020 WATER UTILITY ACQUISITIONS AND IMPROVEMENTS BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OR NOTES OF THE WATER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF Motion: Farrar Second: Brown</p>
<p>O-28-20</p>	<p>BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-6-16 HERETOFORE FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY ON APRIL 11, 2016 ENTITLED, “BOND ORDINANCE PROVIDING FOR SEWER UTILITY INFLOW AND INFILTRATION PROJECT (PHASE III), BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$425,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$425,000 BONDS OR NOTS OF THE CITY TO FINANCE THE COST THEREOF”, TO INCREASE THE APPROPRIATION TO \$525,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES TO \$525,000 THEREIN Motion: Gibilisco Second: Cox</p>
<p>O-29-20</p>	<p>BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-19-16 HERETOFORE FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY ON JULY 11, 2016 ENTITLED, “BOND ORDINANCE PROVIDING FOR THE IMPROVEMENTS OF THE WITHERSPOON STREET OUTFALL AND MONROE STREET SEWER LINES, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$325,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$325,000 BONDS OR NOTS OF THE CITY TO FINANCE THE COST THEREOF”, TO INCREASE THE APPROPRIATION TO \$845,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES TO \$845,000 THEREIN Motion: Parson Second: Baker</p>
<p>O-30-20</p>	<p>BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-20-19 HERETOFORE FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY ON SEPTEMBER 9, 2019 ENTITLED, “BOND ORDINANCE PROVIDING FOR THE REPAIR OF SINK HOLES, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTS OF THE CITY TO FINANCE THE COST THEREOF”, TO INCREASE THE APPROPRIATION TO \$700,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES TO \$700,000 THEREIN Motion: Brown Second: Newbury</p>

O-31-20	<p>BOND ORDINANCE AMENDING AND SUPPLEMENTING SECTION 3(k) OF BOND ORDINANCE NUMBER O-31-19 HERETOFORE FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY ON DECEMBER 9, 2019 ENTITLED, “BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$1,057,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,006,000 BONDS OR NOTS OF THE CITY TO FINANCE PART OF THE COST THEREOF”, TO INCREASE THE APPROPRIATION TO \$1,132,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES TO \$1,077,250 AND TO INCREASE THE DOWN PAYMENT TO \$54,750 THEREIN</p> <p>Motion: Farrar Second: Miles</p>
O-32-20	<p>BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-10-20 HERETOFORE FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY ON APRIL 13, 2020 ENTITLED, “BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO BRENNAN FIELD, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$475,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$450,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF”, TO INCREASE THE APPROPRIATION TO \$525,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES TO \$497,500 AND TO INCREASE THE DOWN PAYMENT TO \$27,500 THEREIN</p> <p>Motion: Mojica Second: City Council</p>

12. **MISCELLANEOUS** (Unfinished Business)
13. **COMMUNICATIONS:** Hearing of Citizens on Any Item (Five Minutes per Speaker)
14. **COUNCIL COMMENT** (Three Minutes per Member)
15. **ADJOURNMENT**

Proclamation

National Hispanic Heritage Month 2020 *¡Mes Nacional de la Herencia Hispana!*

WHEREAS, since 1968, under then President Lyndon B. Johnson, the United States has celebrated its Hispanic population and under former President Ronald Reagan, we have done so between September 15th and October 15th by recognizing the contributions made and the important presence of Hispanic and Latinx Americans to the United States of America; and

WHEREAS, Hispanic and Latino are often used interchangeably though they actually mean two different things. Hispanic refers to people who speak Spanish and/or are descended from Spanish-speaking populations, while Latino refers to people who are from or descended from people of Latin America, such as countries in the Caribbean including Cuba, Dominican Republic, Puerto Rico, Central Americans, South Americans, and Mexico, as well as other Spanish cultures & origins regardless of race. We acknowledge and honor both groups during this month; and

WHEREAS, the Month also falls in line with the commemoration of the independence of some Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua on September 15th, as well as Chile, Belize, and Mexico through the month; and

WHEREAS, in the City of Rahway our community can be described as an ethnic mosaic with a more than 30% Hispanic population, we exhibit the growing shift of American society and wish to personally emphasize the contributions of Hispanics to the fabric which is our village within American society at large; and

WHEREAS, as a culture, there is a need to highlight a history of serving our nation and the accomplishments from Julian Castro's run for President of the United States of America, the continued work of Sonya Sotomayor as a Supreme Court Justice, Shakira and Jennifer Lopez bringing the language and music to one of the most seen sporting events in our country, and what local leaders and heroes do as well; and

WHEREAS, from the teachers in our schools, the nurses and doctors throughout the city, especially those who have risked their lives during the COVID-19 pandemic, business owners, and those who have brought their culinary skills from their family's tables to local restaurants, the City of Rahway is blessed to have its diversity and has increasingly become better for it; and

WHEREAS, while we are unable to do our usual celebrations and parades due to the pandemic, it must be said the passion and spirit of Hispanic American culture is resilient. From generations of parents and grandparents who immigrated to the United States to harness the American Dream whether centuries, decades, or years ago... to children who not only keep that dream alive, but are increasingly becoming the people who provide the guidance for others to pursue theirs.

NOW, THEREFORE, BE IT PROCLAIMED BY WE the Mayor and Municipal Council of the City of Rahway, County of Union, in the State of New Jersey that September 15th through October 15th shall be known as

Hispanic Heritage Month 2020

in the City of Rahway celebrating the culture, traditions, and ever-growing achievements of people of Hispanic origin.

¡Celebra!

DATED: September 9, 2019

Raymond A. Giacobbe, Mayor

ATTEST:

Rayna E. Harris, City Clerk

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-167-20

RESOLUTION SUPPORTING POTENTIAL REMEDIATION AT 1646-8 & 1654 IRVING STREET, RAHWAY, NJ

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Governing Body has authorized the Planning Board to undertake a preliminary investigation to determine whether a portion of 1646-8 & 1654 Irving Street, Rahway, NJ including Block 162 Lots 5& 6, is an area in need of redevelopment according to the criteria set forth in N.J.S.A.40A:12A-5; and

WHEREAS, the Governing Body has determined that there has been, or it suspects that there has been, a discharge of hazardous substances or a hazardous waste on the Property; and

WHEREAS, the City of Rahway is applying from the Hazardous Discharge Site Fund for funding for the investigation and cleanup of 1646-8 & 1654 Irving Street, Rahway, NJ, in order to determine the extent of any hazardous substance or hazardous waste; and

WHEREAS, the City of Rahway intends to acquire the property in furtherance of the redevelopment plan through voluntary conveyance or other means provided by law; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that the City of Rahway is committed to the redevelopment of 1646-8 & 1654 Irving Street, Rahway, NJ for the purpose of a municipal passive park and finds that a realistic opportunity exists for the redevelopment of 1646-8 & 1654 Irving Street, Rahway, NJ within a three year period after the completion of the remediation of this site either through the planned redevelopment project, or through alternate redevelopment.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-168-20

RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO HEYER, GRUEL & ASSOCIATES FOR MUNICIPAL PLANNING SERVICES FOR CITY OF RAHWAY

WHEREAS, under the provisions of P.L. 2004, c.19, known as the “New Jersey Local Unit Pay-To-Play Law,” the City conducted a fair and open process to select a firm to provide municipal planning services; and

WHEREAS, a Request for Qualifications under the “fair and open” process was solicited in compliance with N.J.S.A.19:44-A-20.4 et seq; and

WHEREAS, Heyer, Gruel & Associates responded to a request for qualifications pursuant to the fair and open process and has been deemed qualified to perform services

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that resolutions authorizing the award of contracts for a professional service be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rahway as follows:

1. Heyer, Gruel & Associates has submitted a response to the Request for Qualifications for municipal planning services and has been deemed qualified to provide municipal planning services to the City of Rahway.
2. Heyer, Gruel & Associates has extensive experience in municipal planning services; and
3. Heyer, Gruel & Associates has proposed a fee in an amount not to exceed \$25,000.00 for municipal planning services as detailed in the attached proposal.
4. A contract is hereby awarded to Heyer, Gruel & Associates without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) and under the fair and open process of the Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.4).

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that Mayor and City Clerk are hereby authorized to execute any and all documents related to said engagement.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-169-20

RESOLUTION AUTHORIZING AN AGREEMENT FOR CHILD CARE SERVICES

WHEREAS, the City of Rahway has a need to contract for childcare services; and

WHEREAS, the anticipated term of this agreement is from September 8, 2020 through January 7, 2021 with the option to extend this agreement through the end of the school year, no later than June 30, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, and State of New Jersey hereby authorizes the Mayor and Business Administrator to enter into a service agreement with the Rahway Community Action Organization (the JFK Center) in an amount of \$10,000.00 per month for 15 children.

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated sufficient funds within the Current Fund – Account 01-201-28-370-198, to cover the cost of this contract, contingent upon subsequent pro-rata funding within the CY 2021 budget. This certification is required on all contracts as per regulations of the Director of Local Government Services.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-170-20

RESOLUTION TO AUTHORIZE THE GREEN ACRES AMENDMENT AGREEMENT FOR MADDEN FIELD IMPROVEMENTS (PHASE 2)

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Rahway has previously obtained a grant of \$1,000,000 from the State to fund the following project(s):

Madden Field Improvements (Phase 2)

WHEREAS, the State and the City of Rahway intend to increase Green Acres funding by an amount not to exceed \$1,000,000; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations, and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, and State of New Jersey that:

1. The Mayor of the City of Rahway is hereby authorized to execute an agreement and any amendment thereto with the State known as Madden Field Improvements (Phase 2).
2. The applicant has its matching share of the project, if a match is required, in the amount of \$1,000,000.
3. In the event the State’s funds are less than the total project cost specified above, the City of Rahway has the balance of funding necessary to complete the project.
4. The City of Rahway agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-171-20

RESOLUTION AWARDING THE EXTENSION OF A CONTRACT FOR AN AUTHORIZED PRIVATE ON-SITE INSPECTION AGENCY TO SERVE AS ELEVATOR SAFETY SUBCODE OFFICIAL IN ACCORDANCE WITH RESOLUTION AR-213-17, N.J.A.C. 5:23-4.13 AND N.J.A.C. 5:23-12.1 ET SEQ. FOR A PERIOD OF TWO (2) YEARS

WHEREAS, pursuant to Resolution AR-237-12 and N.J.A.C. 5:23-4.13, the City of Rahway executed a contract with Municipal Inspection Corporation, 183 West Fourth Street, Bayonne, New Jersey 07002 (“Contractor”) as an authorized private on-site inspection agency to serve as elevator safety subcode official in accordance with N.J.A.C. 5:23-4.13 and N.J.A.C. 5:23-12.1 et. seq.; and

WHEREAS, the contract was executed for a period of three (3) years expiring on November 27, 2020, with an option for a two-year extension upon mutual written agreement of the parties (“Contract Extension”); and

WHEREAS, the Contractor has expressed its desire to extend the contract for an additional two (2) years; and

WHEREAS, the City of Rahway finds that the services provided by the Contractor have been performed in an effective an efficient manner; and

WHEREAS, the proposed contract extension is for a term of two years, thereby making a total of five years for the agreement; and

WHEREAS, the parties have negotiated a price change in the contract extension that is based upon the price of the original contract as cumulatively adjusted pursuant to the original contract price and does not exceed the change in the index rate for the twelve months preceding the most recent quarterly calculation available at the time of the proposed extension of the contract; and

WHEREAS, the terms and conditions of the Contract Extension remain substantially the same as that of the original contract; and

WHEREAS, the City of Rahway desires to execute the Contract Extension, pursuant to and in compliance with N.J.S.A. 40A:11-15 of the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey:

1. The Municipal Council of the City of Rahway, the Mayor and Clerk of the City of Rahway are hereby authorized to execute an Contract Extension with Municipal Inspection Corporation to work as an authorized private on-site inspection agency to serve as elevator safety subcode official in accordance with N.J.A.C. 5:23-4.13 and N.J.A.C. 5:23-12.1 et. seq. for the City of Rahway for a period of two (2) years beginning on November 27, 2020 and expiring on November 27, 22, subject to the terms and conditions of a fully executed contract the Municipal Inspection Corporation and the City of Rahway.
2. A copy of the signed agreement is attached hereto and incorporated herein.

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriate sufficient funds within the General Trust Fund, Account # 09-206-55-953-000, to cover the cost of this contract. This certification is required on all contracts as per regulations of the Director of Local Government Services.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-172-20

RESOLUTION AUTHORIZING THE PURCHASE OF WATCH GUARD BODY WORN AND IN-CAR VIDEO CAMERAS INCLUDING THE INSTALLATION OF THE IN-CAR VIDEO SYSTEM IN THE VEHICLES AND THE INSTALLATION OF CAMERA VIDEO STORAGE HARDWARE/SOFTWARE FOR THE POLICE DEPARTMENT VIA STATE CONTRACT

WHEREAS, the City of Rahway Police Department is in need of upgrading the body worn cameras and in-car video systems currently in use; and

WHEREAS, Law enforcement agencies throughout the country are using various types of video recording systems to document interactions between law enforcement officers and citizens; and

WHEREAS, utilizing a body worn video camera system would be beneficial not only to the Rahway Police Department, but to the City of Rahway and Community as well; and

WHEREAS, it has been determined that purchase of said equipment under State Contract is the most practical way to proceed at this time.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the purchase of the body worn/in-car video cameras and software for the Rahway Police Department from Gold Type Business Machine (GTBM), 351 Paterson Avenue, East Rutherford, NJ 07073 (State Contract No.17-fleet-00793) is hereby authorized for an amount not to exceed \$212,982.00.

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated sufficient funds within the State & Federal Grant Fund, Account # 03-215-55-885-116 & General Capital Fund Ordinance # 0-25-20 Account # 04-215-55-702-107 to cover the cost of this contract. This certification is required on all contracts as per regulations of the Director of Local Government Services.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-173-20

RESOLUTION AUTHORIZING THE SALE OF ABANDONED MOTOR VEHICLES BY THE POLICE DEPARTMENT IN ACCORDANCE WITH N.J.S.A. 39:10A-1

WHEREAS, N.J.S.A. 39:10A-1 ET SEQ. permits the Police Department or its representatives to auction or sell vehicles, at a public place, after notice of the sale, shall have been published, in a newspaper circulating in the municipality of Rahway and after such local government shall have authorized by resolution such sale; and

WHEREAS, the Police Department has accumulated Thirteen (13) such vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Police department is authorized to conduct a sale or auction at which time vehicles that have been accumulated by the Police Department’s towing representatives may be sold and the monies realized from such sale be used to cover storage costs, shall be turned over to the City of Rahway Municipal Treasurer.

BE IT FURTHER RESOLVED that the Police Department shall conduct this sale on **Thursday September 17th, 2020**. All vehicles may be viewed one hour prior to auction time at the following times and places:

10:00 AM	<u>R & K Towing 149 Regina Avenue, Rahway, NJ 07065</u>
	2012 FORD VIN#3FAHPOJA2CR23
	2017 NISSAN VIN#JN1BJ1CR0HW136906
	2009 SATURN VIN#1G8ZS57B49F210482
	2001 MIT VIN#4A3AA46G51E051363
	2016 BMW VIN#WBA4C51GG139962
11:00 AM	<u>B & L Towing - 2500 Blair Road, Carteret, NJ 07008</u>
	2016 NISSAN VIN#3N1CE2CP3GL380146
	2004 KRI VIN#4DKUS15284S003790
	1996 VOL VIN#4V4JDBRFXT851299
1:00 PM	<u>Scott Flowers Towing - 1400 Rahway Avenue, Avenel, NJ</u>
	2007 JEEP VIN#1J8GR48K17C532862
	2010 NISSAN VIN#JN8AZ1MW4AW139548
	1987 CHEVY VIN#1G1YY218H5119652
	1999 CHEVY EXP VIN#1GCGG29R5X1097904
2:00 PM	<u>Rahway Auto Body - 41 West Inman Avenue, Rahway, NJ</u>
	2002 VW VIN#3VWWSG71KX5M611703

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-174-20

**RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY
TO APPLY FOR THE UNION COUNTY KIDS RECREATION TRUST FUND GRANT AND ENTER
INTO A CONTRACT THERETO**

WHEREAS, the voters of Union County overwhelmingly voted in favor of the Union County Open Space, Recreation and Historic Preservation Trust Fund in November of 2000; and,

WHEREAS, the 2004 Chairman’s Initiatives called for the creation of the “Kids Recreation Trust Fund” program, a program designed to fund three types of recreational opportunities (scholarships, equipment and field/recreation center improvements) for our County’s children; and,

WHEREAS, the Mayor and City Council of the City of Rahway wish to apply on behalf of the City of Rahway to the Union County Trust Fund through the “Kids Recreation Trust Fund” for the milling, resurfacing, color coating, and relining of **Howard Park Basketball court** while also adding required ADA access.

WHEREAS, the Mayor and City Council of the City of Rahway acknowledge that the required match, or \$90,000, will be provided by the City of Rahway

NOW, THEREFORE BE IT RESOLVED that the Municipal Council of the City of Rahway, County of Union, State of New Jersey hereby authorize application for the “Kids Recreation Trust Fund” grant and permission to enter into a contract with the County of Union regarding any funding award.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-175-20

**RESOLUTION AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE RAHWAY
MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR
OCTOBER 1, 2020 – JUNE 30, 2021**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Municipal Council of the City of Rahway, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages, and therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Municipal City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Rahway Municipal Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Union.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey hereby recognizes the following:

1. The Rahway Municipal Council does hereby authorize submission of a strategic plan for the Rahway Municipal Alliance grant for fiscal year October 1, 2020 – June 30, 2021 in the amount of:

DEDR	\$5,721.00
Cash Match	\$1,430.25
In-Kind	\$4,290.75

2. The Rahway Municipal Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-176-20

RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE CY 2020

WHEREAS, it has been found that the following CY 2020 taxes have been overpaid.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the City Clerk be and she is hereby authorized and directed to draw a warrant on the Chief Financial Officer in the following names and amounts to refund said overpayments.

BE IT FURTHER RESOLVED that the Chief Financial Officer deliver the checks to the Municipal Tax Collector to be delivered to said taxpayers after proper notation of the refund has been made on the tax records and Tax computer.

2020 CALENDAR YEAR TAXES

<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS NAME</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
353	09	Vicentee Cruz 1864 Barnett Street Rahway NJ 07065	1864 Barnett Street	\$669.05
<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS NAME</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
386	7.02	Dematrice Vick & Tanya Barbee <u>Title365 Company</u> 345 Rouser Road Suite #101 Coraopolis PA 15108	2003 Rutherford Street	\$654.81
<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS NAME</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
80	16	Jose & Aurora Garcia <u>River Edge Title Agency LLC</u> 252 Main Street 1 st Floor Metuchen NJ 08840	661 Jaques Ave	\$483.82
<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS NAME</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
103	05	Richard & Linda Jones <u>Fortuna Title</u> 100 Challenger Rd Suite 810 Ridgefield Park NJ 07660	892 Pierpont Street	\$151.73
<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS NAME</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
366	14	Raivel Exposito <u>Foundation Title LLC- East Brunswick</u> 214 Highway 18 3 rd Floor East Brunswick NJ 08816	1886 Turner Street	\$267.55
<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS NAME</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
190	51	Dana Chibbaro & Edward Kessel <u>Trident Abstract Title Agency LLC</u> Monmouth Shores Corp Park 1340A Campus Parkway Wall NJ 07753	1259 Madison Hill Rd	\$416.09

<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS NAME</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
140	10	Kenneth Hoffmann <u>Agility Title</u> 44 Whippany Rd Suite 230 Morristown NJ 07960	929 Jefferson Ave	\$396.36
237	15	Jeffrey & George Wittmann <u>All Jersey Title LLC</u> 325 Bloomfield Ave Caldwell NJ 07006	2227 Knapp Drive	\$118.48
144	19	Steven & Stephanie Cohen <u>Guardian Title Services LLC</u> 345 Centre Street Suite 2 Nutley NJ 07110	1197 Pierpont Street	\$189.60

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-177-20

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATE FOR A 2017 TAX LIEN

WHEREAS, the City of Rahway held a Tax Lien Sale on and December 8, 2017 for unpaid Calendar Year Taxes and Municipal Charges, and various Tax Sale Certificates were struck off and sold to the following Lien Holders, on the following Block and Lots; and

WHEREAS, the owners of said properties has paid all money due to the Tax Collector for the Redemption of said Tax Sale Certificates.

NOW, THEREFORE, BE IT RESOLVED that the City Clerk be and is hereby authorized and directed to draw a warrant on the Chief Financial Officer in the following names and amounts to refund said money.

BE IT FURTHER RESOLVED that the Chief Financial Officer deliver the checks to the Municipal Tax Collector to be delivered to said persons, after proper notation of the refund has been made on the tax records.

2017 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
224 41	1817-23 Newton Street	US Cust BV002 Trst & Crdtrs 50 S 16 th Street Suite 2050 Philadelphia PA 19102-2513	\$9,084.59	\$2,400.00
Certificate 2017-0027				

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-178-20

RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF DISABLED VETERAN EXEMPTION

WHEREAS, property known as Lot **09**, in City Block **45**, more commonly known as **108 Rudolph Avenue**, in **Rahway, NJ** is owned by **Luis Frias**; and

WHEREAS, **Luis Frias**, has qualified as a one hundred percent **Disabled Veteran** under the provision of the N.J.S.A 54; 4-3.30, causing his property to be exempt from taxation at the local level beginning with the 3rd Quarter Calendar Year 2020 as verified by the Tax Assessor; and

WHEREAS, the Tax Bills for the four quarters of Calendar Year 2020 were generated from the 2019 Assessor's Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with a tax bill for the calendar year 2020, while the property is correctly classified as being Tax Exempt for the same period.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Tax Collector be, and he hereby is, authorized and directed to cancel the third and fourth quarters of **2020**; and refund the 3rd paid quarter of **2020**, in the amount of **\$2,800.00** on the property known and designated as Lot **09**, in Township Block **45**.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-179-20

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE
BUDGET OF THE CITY OF RAHWAY PURSUANT TO
N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)
NEW JERSEY ASSOCIATION OF COUNTY AND CITY OFFICIALS (NJACCHO) FOR COVID-19
RELATED RESPONSE ACTIVITIES - \$30,560.00**

WHEREAS, N.J.S.A. 40A: 4-87 provided that the Director of Local Government Services may approve the insertion of any special item of revenue in the Budget of any County or Municipality when such items shall have been made available by law and the amount thereof was undetermined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, and State of New Jersey hereby requests that the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year 2020 Budget in the sum of **\$30,560.00** which is now available as revenue from:

PUBLIC & PRIVATE REVENUES – OFFSET BY APPROPRIATIONS:
**NEW JERSEY ASSOCIATION OF COUNTY AND CITY OFFICIALS (NJACCHO) FOR COVID-19
RELATED RESPONSE ACTIVITIES - \$30,560.00**

BE IT FURTHER RESOLVED that a like sum of **\$30,560.00** and the same is hereby appropriated under the caption of General Appropriations Excluded from “CAPS”

PUBLIC & PRIVATE PROGRAMS – OFFSET BY REVENUES:
**NEW JERSEY ASSOCIATION OF COUNTY AND CITY OFFICIALS (NJACCHO) FOR COVID-19
RELATED RESPONSE ACTIVITIES - \$30,560.00**

BE IT FURTHER RESOLVED that the above is a result of a grant from
NEW JERSEY ASSOCIATION OF COUNTY AND CITY OFFICIALS (NJACCHO)

BE IT FURTHER RESOLVED that three (3) certified copies of this resolution be submitted to the Director of the Division of Local Government Services.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-180-20

RESOLUTION APPOINTING ALTERNATE MEMBERS OF THE RAHWAY SOCIAL JUSTICE COMMISSION

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey hereby makes the following appointment to the Rahway Social Justice Commission:

<u>Position</u>	<u>Name</u>	<u>Address</u>	<u>Term Expires</u>
Alternate No. 1	Paola Aquino	42 Clinton Street	12-31-2021
Alternate No. 2	Jonathan Jeffrey	1011 Jaques Avenue	12-31-2022

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-24-20

BOND ORDINANCE PROVIDING FOR THE VARIOUS CAPITAL IMPROVEMENTS AND EQUIPMENT FOR THE SEWER UTILITY OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$350,000 BONDS OR NOTES OF THE SEWER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken by the Sewer Utility (the “Sewer Utility”) of the City of Rahway, in the County of Union, State of New Jersey (the “City”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$350,000 by the Sewer Utility of the City. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Sewer Utility is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Sewer Utility are hereby authorized to be issued in a principal amount not exceeding \$350,000 pursuant to, and within the limitations prescribed by, to the Local Bond Law. In anticipation of the issuance of said bonds and to

temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$350,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are as follows:

Description	Total Appropriation	Debt Authorization	Useful Life
(a) Various capital improvements and upgrades at Storm Stations, including, but not limited to, the repair, replacements, and upgrade, as applicable, of storm station roofs and heaters; and	\$30,000	\$30,000	15 years
(b) Various capital improvements and acquisitions at the Totten Street Duck Bill, including, but not limited to, the acquisition and replacement of a rubber gasket; and	\$25,000	\$25,000	10 years
(c) The purchase and acquisition of the Dock Street Grinder and implementation of pit cleaning, including a Muffin Muncher; and	\$75,000	\$75,000	5 years
(d) Purchase, acquisition, and installation of sluice gates at the Storm Station; and	\$90,000	\$90,000	15 years
(e) The repair and replacement of (i) storm lines throughout the Sewer System to meet the specifications and standards required by Army Corps, and (ii) sumps at various Storm Stations; and	\$120,000	\$120,000	30 years
(f) Purchase and acquisition of metal storm drain markers throughout the Sewer System.	\$10,000	\$10,000	10 years

Description	Total Appropriation	Debt Authorization	Useful Life
Total:	\$350,000	\$350,000	

(b) The estimated aggregate maximum amount of bonds or notes of the City to be issued for said purposes is \$350,000.

(c) The aggregate estimated cost of said improvements or purposes is \$350,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Union make a contribution or grant in aid to the City for any of the improvements and purposes authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Union. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Union shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes

issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The City hereby certifies that it has adopted a capital budget or a temporary capital budget of the Sewer Utility of the City, as applicable. The capital budget of the Sewer Utility of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Sewer Utility of the City, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the City may lawfully

undertake as general improvements for the Sewer Utility of the City, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements and purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 17.50 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, within New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City, as defined in the Local Bond Law, is increased by the authorization of the obligations provided for in this bond ordinance by \$350,000 and the obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements described in Section 3 hereof.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c)

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City and, unless

paid from other sources, such as sewer fees, rates and other revenues of the Sewer Utility, the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all tax-exempt bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City, which are authorized herein,

and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 10th day of August 2020.

Introduction: August 10, 2020

Motion: Baker **Second:** Miles

YES: Councilmembers Baker, Brown, Cox, Farrar,
Gibilisco, Newbury, Parson, Miles, Mojica

NO: None

ABSTAIN: None

ABSENT: None

Public Hearing:

Adoption:

Motion: Second:

YES:

NO:

ABSTAIN:

ABSENT:

Jeremy E. Mojica, Council President

APPROVAL Raymond A. Giacobbe, Mayor

ATTEST Rayna E. Harris, City Clerk

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-25-20

**BOND ORDINANCE PROVIDING FOR VARIOUS 2020
CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR THE
CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE
OF NEW JERSEY; APPROPRIATING \$1,975,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$1,876,250 BONDS OR NOTES OF THE CITY TO FINANCE
PART OF THE COSTS THEREOF**

**BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY
OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY** (not less than
two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the City of Rahway, in the County of Union, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,975,000, which sum includes \$98,750 as the aggregate amount of down payments for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), and now available therefor by virtue of provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet part of the \$1,975,000 appropriation not provided for by said down payments, negotiable bonds of the City are hereby authorized to be issued in the principal amount of \$1,876,250 pursuant to, and within the limitations prescribed by,

the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$1,876,250 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are as follows:

Description	Total Appropriation	Debt Authorization	Down Payment	Useful Life
(a) Various capital repair and improvements to the headquarters and hose tower of the Fire Department; and	\$15,000	\$14,250	\$750	15 years
(b) Purchase and acquisition of personal protective equipment (PPE) and turnout gear for the Fire Department; and	\$350,000	\$332,500	\$17,500	5 years
(c) Renovations to the Police Building including, but not limited to, improvements to the locker room; and	\$40,000	\$38,000	\$2,000	10 years
(d) Purchase and acquisition of (i) cameras for the Police Department including, but not limited to, body cameras, in-car video systems, and security and surveillance cameras for downtown and other areas throughout the City, and (ii) an oxygen generation filling system for emergency management services, all for the Police Department; and	\$337,000	\$320,150	\$16,850	7 years

Description	Total Appropriation	Debt Authorization	Down Payment	Useful Life
(e) Purchase and acquisition of a non-passenger command vehicle for the Office of Emergency Management with the Police Department; and	\$50,000	\$47,500	\$2,500	5 years
(f) Purchase and acquisition of office furniture for the Department of Recreation; and	\$8,000	\$7,600	\$400	5 years
(g) Renovate, replace and rehabilitate the play area surfaces with the installation of rubber surface areas at Brennen Field, Cleveland Field, Berzinec Field, and Howard Field for the Department of Recreation; and	\$260,000	\$247,000	\$13,000	15 years
(h) Replace and upgrade the sound system in City Council Chambers; and	\$20,000	\$19,000	\$1,000	10 years
(i) Repair, replace, upgrade and rehabilitate the Amtrak viaducts along, but not limited to, Milton, Cherry, Irving, and Main Streets, including, but not limited to, concrete dental repairs and painting of concrete and steel surfaces; and	\$378,000	\$359,100	\$18,900	20 years

Description	Total Appropriation	Debt Authorization	Down Payment	Useful Life
(j) The investigation and remediation of a City owned property located at Block 162, Lots 5, 6, and 7 on the official tax map of the City, commonly known as 1646-1648 and 1654 Irving Street, including, but not limited to, the initial delineation of chlorinated solvents and the installation of monitoring wells; and	\$150,000	\$142,500	\$7,500	10 years
(k) Purchase and acquisition of a geographic information system ("GIS") mapping system for the Engineering Department; and	\$75,000	\$71,250	\$3,750	7 years
(l) Purchase and acquisition of (i) a pick-up truck with a plow, and (ii) a mason dump truck with a spreader for the Department of Public Works; and	\$132,000	\$125,400	\$6,600	5 years
(m) Upgrades to the vedder root a various fuel sites for the Department of Public Works; and	\$18,000	\$17,100	\$900	10 years
(n) Purchase, replace, and install various capital improvements and equipment at the Recreation Center, including, but not limited to, an air conditioning compressor; and	\$6,000	\$5,700	\$300	5 years

Description	Total Appropriation	Debt Authorization	Down Payment	Useful Life
(o) Repair, replace, upgrade and rehabilitate, as applicable, the Hamilton Stage Theater with various capital improvements, including, but not limited to, security cameras, air conditioning coils, battery backup, and lighting; and	\$51,000	\$48,450	\$2,550	15 years
(p) Purchase and acquisition of non-passenger vehicles for the Health and Building Departments; and	\$65,000	\$61,750	\$3,250	5 years
(q) Purchase, acquisition, and installation of a LED sign for St. George and Westfield Avenues for the Department of Public Works.	\$20,000	\$19,000	\$1,000	7 years
Total:	\$1,975,000	\$1,876,250	\$98,750.00	

All such improvements or purposes set forth in Section 3 shall include, but are not limited to, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction documents, inspections, site remediation, including environmental remediation, and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,876,250.

The aggregate estimated cost of said improvements and purposes is \$1,975,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the aggregate down payments in the amount of \$98,750 available

for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Union make a loan, contribution or grant-in-aid to the City for the improvements authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Union. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Union shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply with respect to any contribution or grant in aid received by the City as a result of using such funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1 of the Local Bond Law. The Chief

Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the City may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes or improvements within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance,

is 10.54 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City, as defined in the Local Bond Law, is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,876,250 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the City, and, unless paid from other sources, the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the

improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City, which are authorized herein, and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, the interest on all tax-exempt bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 10th day of August 2020.

Introduction: August 10, 2020

Motion: Parson **Second:** Newbury

YES: Councilmembers Baker, Brown, Cox, Farrar,
Gibilisco, Newbury, Parson, Miles, Mojica

NO: None

ABSTAIN: None

ABSENT: None

Public Hearing:

Adoption:

Motion: Second:

YES:

NO:

ABSTAIN:

ABSENT:

Jeremy E. Mojica, Council President

APPROVAL Raymond A. Giacobbe, Mayor

ATTEST Rayna E. Harris, City Clerk

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-26-20

BOND ORDINANCE PROVIDING FOR THE PURCHASE AND ACQUISITION OF ELECTRIC VEHICLES FOR THE PARKING UTILITY OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$80,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$80,000 BONDS OR NOTES OF THE PARKING UTILITY OF THE CITY TO FINANCE THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken as general improvements for the Parking Utility (the "Parking Utility") of the City of Rahway, in the County of Union, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$80,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Parking Utility is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the said \$80,000 appropriation, negotiable bonds of the Parking Utility of the City are hereby authorized to be issued in the aggregate principal amount of not exceeding \$80,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily

finance said improvements or purposes, negotiable notes of the Parking Utility of the City in an aggregate principal amount of not exceeding \$80,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said debt obligations are to be issued are for the purchase and acquisition of electric vehicles for parking enforcement officers of the Parking Utility of the City.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$80,000.

(c) The aggregate estimated cost of said improvements or purposes is \$80,000.

(d) All such improvements or purposes set forth above in Section 3(a) shall also include, but are not limited to, as applicable, specifications, permits, bid documents, contract administration, and shall also include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Union make a contribution or grant in aid to the City for the improvements or purposes authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Union. In the event, however, that any amount so contributed or granted, as applicable, by the United States of America, the State of New Jersey, and/or the County of Union shall be received by the City

after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The City hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable, of the Parking Utility of the City. The capital budget

of the Parking Utility of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs of the Parking Utility as approved by the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the City may lawfully undertake as general improvements for the Parking Utility of the City, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, within the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by

\$80,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City and, unless paid from other sources, such as parking fees, rates, fines and other revenues of the Parking Utility, the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All

reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all tax-exempt bonds and notes issued under this ordinance.

SECTION 11. The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City, which are authorized herein, and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 10th day of August 2020.

Introduction: August 10, 2020

Motion: Mojica **Second:** City Council

YES: Councilmembers Baker, Brown, Cox, Farrar,
Gibilisco, Newbury, Parson, Miles, Mojica

NO: None

ABSTAIN: None

ABSENT: None

Public Hearing:

Adoption:

Motion: Second:

YES:

NO:

ABSTAIN:

ABSENT:

Jeremy E. Mojica, Council President

APPROVAL Raymond A. Giacobbe, Mayor

ATTEST Rayna E. Harris, City Clerk

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-27-20

**BOND ORDINANCE PROVIDING FOR VARIOUS 2020
WATER UTILITY ACQUISITIONS AND IMPROVEMENTS BY
AND IN THE CITY OF RAHWAY, IN THE COUNTY OF
UNION, STATE OF NEW JERSEY; APPROPRIATING
\$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$750,000 BONDS OR NOTES OF THE WATER UTILITY
OF THE CITY TO FINANCE THE COSTS THEREOF**

**BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY
OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Water Utility (the “Water Utility”) of the City of Rahway, in the County of Union, State of New Jersey (the “City”) as general improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the principal amount of \$750,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Water Utility is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the \$750,000 appropriation, negotiable bonds of the Water Utility of the City are hereby authorized to be issued in the principal amount of \$750,000 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Water Utility of the City in a principal amount not exceeding \$750,000

are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include, but are not limited to, as follows:

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
(i) Water Distribution System improvements, including, but not limited to, repair and/or replacement of water mains, valves and hydrants; and	\$730,000	\$730,000	30 years
(ii) Upgrades to entry door and offices at the Water Treatment Plant.	\$20,000	\$20,000	10 years
TOTALS	<u>\$750,000.00</u>	<u>\$750,000.00</u>	

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental inspections and remediation, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$750,000.

(d) The estimated cost of said improvements or purposes is \$750,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Union make a contribution or grant in aid to the City for the

improvements and purposes authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Union. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Union shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer or the Treasurer of the City, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer or the Treasurer. The Chief Financial Officer or the Treasurer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer or the Treasurer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer or the Treasurer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to

the date of delivery thereof. The Chief Financial Officer or the Treasurer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The City hereby certifies that it has adopted a capital budget or a temporary capital budget of the Water Utility of the City, as applicable. The capital budget of the Water Utility of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Water Utility of the City, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the City may lawfully undertake as general improvements for the Water Utility, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 29.46 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete

executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$750,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City and, unless paid from other sources, such as fees, rates and other revenues of the Water Utility, the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the

proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City, which are authorized herein, and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all tax-exempt bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 10th day of August 2020.

Introduction: August 10, 2020

Motion: Farrar **Second:** Brown

YES: Councilmembers Baker, Brown, Cox, Farrar,
Gibilisco, Newbury, Parson, Miles, Mojica

NO: None

ABSTAIN: None

ABSENT: None

Public Hearing:

Adoption:

Motion: Second:

YES:

NO:

ABSTAIN:

ABSENT:

Jeremy E. Mojica, Council President

APPROVAL Raymond A. Giacobbe, Mayor

ATTEST Rayna E. Harris, City Clerk

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-28-20

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-6-16 HERETOFORE FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY ON APRIL 11, 2016 ENTITLED, "BOND ORDINANCE PROVIDING FOR SEWER UTILITY INFLOW AND INFILTRATION PROJECT (PHASE III), BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$425,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$425,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF", TO INCREASE THE APPROPRIATION TO \$525,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES TO \$525,000 THEREIN

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The bond ordinance of the City of Rahway, in the County of Union, State of New Jersey (the "City"), heretofore finally adopted by the City Council thereof on April 11, 2016, numbered O-6-16 and entitled, "Bond Ordinance Providing For Sewer Utility Inflow and Infiltration Project (Phase III), By and In the City Of Rahway, In The County Of Union, State Of New Jersey; Appropriating \$425,000 Therefor And Authorizing The Issuance Of \$425,000 Bonds Or Notes Of The City To Finance The Cost Thereof" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as set forth herein.

SECTION 2. For the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated

from the Sewer Utility of the City the additional sum of \$100,000, making the total appropriation available from the Sewer Utility for the improvement or purpose stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, equal to \$525,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Sewer Utility is self-liquidating.

SECTION 3. (a) In order to finance the cost of the improvements or purposes set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, additional negotiable bonds or notes of the Sewer Utility of the City in the amount of \$100,000 are hereby authorized to be issued by the City, such that the total authorization of negotiable bonds or notes to be issued by the Sewer Utility of the City for the improvements or purposes stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, is equal to \$525,000.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$525,000.

(c) The estimated cost of the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$525,000.

SECTION 4. The City hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable, of the Sewer Utility of the City. The capital budget of the Sewer Utility of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget

and capital programs of the Sewer Utility as approved by the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$100,000 and the said obligations authorized herein will be within all debt limitations prescribed by law.

(b) For the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby, the additional sum of \$20,000 is hereby included for the items of expense listed in and permitted under N.J.S.A. 40A:2-20, making the total amount for such items of expense \$105,000, such total amount being included in the estimated cost indicated herein for the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby.

SECTION 6. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 7. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 10th day of August 2020.

Introduction: August 10, 2020

Motion: Gibilisco **Second:** Cox

YES: Councilmembers Baker, Brown, Cox, Farrar,
Gibilisco, Newbury, Parson, Miles, Mojica

NO: None

ABSTAIN: None

ABSENT: None

Public Hearing:

Adoption:

Motion: Second:

YES:

NO:

ABSTAIN:

ABSENT:

Jeremy E. Mojica, Council President

APPROVAL Raymond A. Giacobbe, Mayor

ATTEST Rayna E. Harris, City Clerk

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-29-20

**BOND ORDINANCE AMENDING AND SUPPLEMENTING
BOND ORDINANCE NUMBER O-19-16 HERETOFORE
FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY
OF RAHWAY ON JULY 11, 2016 ENTITLED, "BOND
ORDINANCE PROVIDING FOR THE IMPROVEMENTS OF
THE WITHERSPOON STREET OUTFALL AND MONROE
STREET SEWER LINES, BY AND IN THE CITY OF
RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW
JERSEY; APPROPRIATING \$325,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$325,000 BONDS OR
NOTS OF THE CITY TO FINANCE THE COST THEREOF",
TO INCREASE THE APPROPRIATION TO \$845,000 AND TO
INCREASE THE AUTHORIZATION OF BONDS OR NOTES
TO \$845,000 THEREIN**

**BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF
RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY** (not less than two-
thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The bond ordinance of the City of Rahway, in the County of Union, State of New Jersey (the "City"), heretofore finally adopted by the City Council thereof on July 11, 2016, numbered O-19-16 and entitled, "Bond Ordinance Providing For the Improvements of the Witherspoon Street Outfall and Monroe Street Sewer Lines, By and In the City Of Rahway, In The County Of Union, State Of New Jersey; Appropriating \$325,000 Therefor And Authorizing The Issuance Of \$325,000 Bonds Or Notes Of The City To Finance The Cost Thereof" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as set forth herein.

SECTION 2. For the improvement or purpose described in Section 3 of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated from the

Sewer Utility of the City the additional sum of \$520,000, making the total appropriation available from the Sewer Utility for the improvement or purpose stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, equal to \$845,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Sewer Utility is self-liquidating.

SECTION 3. (a) In order to finance the cost of the improvement or purpose set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, additional negotiable bonds or notes of the Sewer Utility of the City in the amount of \$520,000 are hereby authorized to be issued by the City, such that the total authorization of negotiable bonds or notes to be issued by the Sewer Utility of the City for the improvement or purpose stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, is equal to \$845,000.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$845,000.

(c) The estimated cost of the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$845,000.

SECTION 4. The City hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable, of the Sewer Utility of the City. The capital budget of the Sewer Utility of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget

and capital programs of the Sewer Utility as approved by the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$520,000 and the said obligations authorized herein will be within all debt limitations prescribed by law.

(b) For the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby, the additional sum of \$104,000 is hereby included for the items of expense listed in and permitted under N.J.S.A. 40A:2-20, making the total amount for such items of expense \$204,000, such total amount being included in the estimated cost indicated herein for the improvement or purpose set forth in the Original Ordinance, as amended and supplemented hereby.

SECTION 6. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 7. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 10th day of August 2020.

Introduction: August 10, 2020

Motion: Parson **Second:** Baker

YES: Councilmembers Baker, Brown, Cox, Farrar,
Gibilisco, Newbury, Parson, Miles, Mojica

NO: None

ABSTAIN: None

ABSENT: None

Public Hearing:

Adoption:

Motion: Second:

YES:

NO:

ABSTAIN:

ABSENT:

Jeremy E. Mojica, Council President

APPROVAL Raymond A. Giacobbe, Mayor

ATTEST Rayna E. Harris, City Clerk

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-30-20

**BOND ORDINANCE AMENDING AND SUPPLEMENTING
BOND ORDINANCE NUMBER O-20-19 HERETOFORE
FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY
OF RAHWAY ON SEPTEMBER 9, 2019 ENTITLED, "BOND
ORDINANCE PROVIDING FOR THE REPAIR OF SINK
HOLES, BY AND IN THE CITY OF RAHWAY, IN THE
COUNTY OF UNION, STATE OF NEW JERSEY;
APPROPRITING \$500,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$500,000 BONDS OR NOTS OF THE
CITY TO FINANCE THE COST THEREOF", TO INCREASE
THE APPROPRIATION TO \$700,000 AND TO INCREASE
THE AUTHORIZATION OF BONDS OR NOTES TO \$700,000
THEREIN**

**BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF
RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than two-
thirds of all members thereof affirmatively concurring), AS FOLLOWS:**

SECTION 1. The bond ordinance of the City of Rahway, in the County of Union, State of New Jersey (the "City"), heretofore finally adopted by the City Council thereof on September 9, 2019, numbered O-20-19 and entitled, "Bond Ordinance Providing For the Repair of Sink Holes, By and In the City Of Rahway, In The County Of Union, State Of New Jersey; Appropriating \$500,000 Therefor And Authorizing The Issuance Of \$500,000 Bonds Or Notes Of The City To Finance The Cost Thereof" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as set forth herein.

SECTION 2. For the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated from the Sewer Utility of the City the additional sum of \$200,000, making the total

appropriation available from the Sewer Utility for the improvements or purposes stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, equal to \$700,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Sewer Utility is self-liquidating.

SECTION 3. (a) In order to finance the cost of the improvements or purposes set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, additional negotiable bonds or notes of the Sewer Utility of the City in the amount of \$200,000 are hereby authorized to be issued by the City, such that the total authorization of negotiable bonds or notes to be issued by the Sewer Utility of the City for the improvements or purposes stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, is equal to \$700,000.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$700,000.

(c) The estimated cost of the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$700,000.

SECTION 4. The City hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable, of the Sewer Utility of the City. The capital budget of the Sewer Utility of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs of the Sewer Utility as approved by the Division of Local Government

Services, New Jersey Department of Community Affairs, will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$200,000 and the said obligations authorized herein will be within all debt limitations prescribed by law.

(b) For the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby, the additional sum of \$40,000 is hereby included for the items of expense listed in and permitted under N.J.S.A. 40A:2-20, making the total amount for such items of expense \$90,000, such total amount being included in the estimated cost indicated herein for the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby.

SECTION 6. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 7. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 10th day of August 2020.

Introduction: August 10, 2020

Motion: Brown **Second:** Newbury

YES: Councilmembers Baker, Brown, Cox, Farrar,
Gibilisco, Newbury, Parson, Miles, Mojica

NO: None

ABSTAIN: None

ABSENT: None

Public Hearing:

Adoption:

Motion: Second:

YES:

NO:

ABSTAIN:

ABSENT:

Jeremy E. Mojica, Council President

APPROVAL Raymond A. Giacobbe, Mayor

ATTEST Rayna E. Harris, City Clerk

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-31-20

BOND ORDINANCE AMENDING AND SUPPLEMENTING SECTION 3(k) OF BOND ORDINANCE NUMBER O-31-19 HERETOFORE FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY ON DECEMBER 9, 2019 ENTITLED, "BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$1,057,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,006,000 BONDS OR NOTS OF THE CITY TO FINANCE PART OF THE COST THEREOF", TO INCREASE THE APPROPRIATION TO \$1,132,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES TO \$1,077,250 AND TO INCREASE THE DOWN PAYMENT TO \$54,750 THEREIN

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The bond ordinance of the City of Rahway, in the County of Union, State of New Jersey (the "City"), heretofore finally adopted by the City Council thereof on December 9, 2019, numbered O-31-19 and entitled, "Bond Ordinance Providing For Various 2019 Capital Acquisitions and Improvements for the City Of Rahway, In The County Of Union, State Of New Jersey; Appropriating \$1,057,000 Therefor And Authorizing The Issuance Of \$1,006,000 Bonds Or Notes Of The City To Finance Part Of The Cost Thereof" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as set forth herein.

SECTION 2. For the improvements or purposes described in Section 3(k) of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated the additional sum of \$75,000, said sum to be inclusive of \$3,750 as the amount of an additional down payment required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), now available therefor by virtue of provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes. The total appropriation of the Original Ordinance, as amended and supplemented hereby, is equal to \$1,132,000, including the sum of \$54,750 as the total down payment available therefor.

SECTION 3. (a) In order to finance the cost of the improvements or purposes set forth in Section 3(k) of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment, additional negotiable bonds or notes of the City in the amount of \$71,250 are hereby authorized to be issued by the City, such that the total authorization of negotiable bonds or notes to be issued by the City for the improvements or purposes stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, is equal to \$1,077,250.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes stated in Section 3(k) of the Original Ordinance, as amended and supplemented hereby, is equal to \$356,550 and the total estimated maximum amount of bonds or notes to be issued for the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, is \$1,077,250.

(c) The estimated cost of the improvements or purposes stated in Section 3(k) of the Original Ordinance, as amended and supplemented hereby, is equal to \$375,000 and the

total estimated cost of the improvement or purpose stated in the Original Ordinance, as amended and supplemented hereby, is equal to 1,132,000.

SECTION 4. The City hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable, of the City. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs of the City as approved by the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$71,250 and the said obligations authorized herein will be within all debt limitations prescribed by law.

(b) For the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby, the additional sum of \$15,000 is hereby included for the items of expense listed in and permitted under N.J.S.A. 40A:2-20, making the total amount for such items of expense \$43,000, such total amount being included in the

estimated cost indicated herein for the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby.

SECTION 6. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 7. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 10th day of August 2020.

Introduction: August 10, 2020

Motion: Farrar **Second:** Miles

YES: Councilmembers Baker, Brown, Cox, Farrar,
Gibilisco, Newbury, Parson, Miles, Mojica

NO: None

ABSTAIN: None

ABSENT: None

Public Hearing:

Adoption:

Motion: Second:

YES:

NO:

ABSTAIN:

ABSENT:

Jeremy E. Mojica, Council President

APPROVAL Raymond A. Giacobbe, Mayor

ATTEST Rayna E. Harris, City Clerk

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-32-20

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-10-20 HERETOFORE FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY ON APRIL 13, 2020 ENTITLED, "BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO BRENNAN FIELD, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$475,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$450,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF", TO INCREASE THE APPROPRIATION TO \$525,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES TO \$497,500 AND TO INCREASE THE DOWN PAYMENT TO \$27,500 THEREIN

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The bond ordinance of the City of Rahway, in the County of Union, State of New Jersey (the "City"), heretofore finally adopted by the City Council thereof on April 13, 2020, numbered O-10-20 and entitled, "Bond Ordinance Providing For Various Improvements to Brennan Field, By and In the City Of Rahway, In The County Of Union, State Of New Jersey; Appropriating \$475,000 Therefor And Authorizing The Issuance Of \$450,000 Bonds Or Notes Of The City To Finance Part Of The Cost Thereof" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as set forth herein.

SECTION 2. For the improvement or purpose described in Section 3 of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated the

additional sum of \$50,000, said sum to be inclusive of \$2,500 as the amount of an additional down payment required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), now available therefor by virtue of provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes. The total appropriation of the Original Ordinance, as amended and supplemented hereby, is equal to \$525,000, including the sum of \$27,500 as the total down payment available therefor.

SECTION 3. (a) In order to finance the cost of the improvement or purpose set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment, additional negotiable bonds or notes of the City in the amount of \$47,500 are hereby authorized to be issued by the City, such that the total authorization of negotiable bonds or notes to be issued by the City for the improvement or purpose stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, is equal to \$497,500.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$497,500.

(c) The estimated cost of the improvement or purpose stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$525,000.

SECTION 4. The City hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable, of the City. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs of the City as

approved by the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$47,500 and the said obligations authorized herein will be within all debt limitations prescribed by law.

(b) For the improvement or purpose set forth in the Original Ordinance, as amended and supplemented hereby, the additional sum of \$10,000 is hereby included for the items of expense listed in and permitted under N.J.S.A. 40A:2-20, making the total amount for such items of expense \$160,000, such total amount being included in the estimated cost indicated herein for the improvement or purpose set forth in the Original Ordinance, as amended and supplemented hereby.

SECTION 6. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 7. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 10th day of August 2020.

Introduction: August 10, 2020

Motion: Mojica **Second:** City Council

YES: Councilmembers Baker, Brown, Cox, Farrar,
Gibilisco, Newbury, Parson, Miles, Mojica

NO: None

ABSTAIN: None

ABSENT: None

Public Hearing:

Adoption:

Motion: Second:

YES:

NO:

ABSTAIN:

ABSENT:

Jeremy E. Mojica, Council President

APPROVAL Raymond A. Giacobbe, Mayor

ATTEST Rayna E. Harris, City Clerk